

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA  
HAMMOND DIVISION

UNITED STATES OF AMERICA	)	
	)	
V.	)	CAUSE NO. 2:06 CR 63
	)	
VIKRAM BUDDHI	)	

GOVERNMENT’S REQUEST TO CONTINUE SENTENCING HEARING

Comes now the United States of America by David Capp, United States Attorney for the Northern District of Indiana, through Assistant United States Attorney Philip C. Benson, hereby files its request for a continue of the sentencing hearing in the above captioned matter, and in support of its request to continue the sentencing hearing, the government states as follows:

1. A sentencing hearing in the above captioned matter is currently set for July 23, 2008. On July 8, 2008, the government finished responding to in excess of fifteen objections raised by the defendant to the presentence investigation report. Several of these objections were filed by the defense on June 27, 2008. On July 3, 2008 the defendant filed an additional sentencing memorandum consisting of forty pages of legal argument and twenty-five pages of attachments from various discovery materials, some of which were previously provided to the defense by the government. The defendant’s sentencing memorandum raises approximately fifteen separate arguments. Some of these argument relate to previous issues raised to the Probation Department and some do not. Additionally, the memorandum contains quotations from various excerpts of the trial transcripts in this case.

2. A review of this forty page document indicates that the government cannot possibly prepare a response to the defendant’s sentencing memorandum prior to the sentencing date set in

this case.<sup>1</sup>

3. Since most, if not all, of the information contained in the defendant's sentencing memorandum was available to the defendant since approximately November of 2007, and the defendant has had over seven months to prepare for the filing of this sentencing memorandum, the government requests an additional sixty days to respond to the defendant's sentencing memorandum.

4. Counsel for the government has spoken to defense counsel, John Martin, and he has no objection to a continuance of this matter. However, the length of the continuance was not discussed with counsel.

WHEREFORE, the government respectfully requests at least an additional sixty days to respond to the defendant's extensive sentencing memorandum filed on July 3, 2008.

Respectfully submitted,

DAVID CAPP  
UNITED STATES ATTORNEY

S/ Philip C. Benson  
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<sup>1</sup> The forty page memorandum filed by the defendant seems to far exceed the twenty-five page motion limit under Local Rule 7.1.

## ***Certificate of Service***

I hereby certified that July 11, 2008 I filed GOVERNMENT'S REQUEST TO CONTINUE SENTENCING HEARING with the Clerk of the Court; such filing to be made to the following:

by electronic filing:

**John E. Martin** (john\_martin@fd.org )

and I hereby certify that I have mailed by United States Postal Service the document to the following non CM/ECF participants:

**NONE**

S/ Sandra M. Clanin

Sandra M. Clanin

Legal Assistant